

**BOARD OF SELECTMEN  
MINUTES**

**MARCH 29, 2011**

**EXECUTIVE SESSION # 4 OF 4**

At about 8:48 pm, Mr. Heller called the Executive Session to order under Exemption Six of the Open Meeting Law:

**Exception Six** - "To consider the purchase, exchange, lease or value of real property, if such discussions may have a detrimental effect on the negotiating position of the governmental body and a person, firm or corporation."

**Purchase of 3, 5, 7 Prouty Street:**

Mr. Heller discussed with the Board informal conversations he had had with representatives of the sellers which revealed that the sellers

- wanted an offer closer to the assessed value of the property;
- Plan to sell the house separately and apparently do not need land from the 5 Prouty Street lot for an approved Title V septic system; their septic system.
- Believe that they do not have to disclose to potential buyers that there may be hazardous materials on the 3 and 5 Prouty Street properties because they are only hearsay; le
- believe that they can sell 3 and 5 Prouty Street properties as "grandfathered" house lots under Town zoning by-laws, and
- countered the Town's offer of \$30,000 for 3 and 5 Prouty Street with an offer to sell at \$100,000

Chairman Heller asked the Board if they wanted to make a different offer. The Board agreed that they need the property for safe egress of fire vehicles and for a location of a septic system for the Town Hall complex. After some discussion, Mr. O'Connell moved that the Town make a counter offer of \$45,000 for the two vacant lots and include the Phase I & II Brownfield assessments at no cost to the sellers; Mr. Allen seconded; so voted.

Mr. Allen moved to authorize Mr. Heller to continue negotiate with the sellers; Mr. O'Connell seconded; so voted with Mr. Allen voting aye; Mr. O'Connell voting aye; and Mr. Heller voting aye. The Board asked Mr. Heller to convey to the sellers that they were in error about 3 and 5 Prouty Street as grandfathered building lots and to reiterate the Town's position that they needed to disclose to potential buyers the possible existence of hazardous materials on the 3 and 5 Prouty Street lots.

At approximately 9:05 pm, Mr. Allen moved at adjourn the Executive Session and move to the second session; Mr. O'Connell seconded; so voted with Mr. Allen voting Aye; Mr. O'Connell voting Aye; and Mr. Heller voting Aye..

Respectfully submitted,

Donna L. Neylon, Administrative Assistant

Date approved by Board: \_\_\_\_\_

Date Released: December 11, 2012